



JAW

Docket No.: L0644.70000US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John M. Levey et al.
Serial No.: 10/583,292
Confirmation No.: 2500
Filed: June 16, 2006
For: ENDOSCOPIC LUBRICATING AND GRIPPING DEVICE
Examiner: Not Yet Assigned
Art Unit: 3739

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 9-21-06

Marjorie A. DePina

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Information Disclosure Statement and
2. 1449 Form with cited references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No. L0644.70000US00. A duplicate copy of this paper is enclosed.

Dated: 9-21-06

Respectfully submitted,

By

David Wolf, Reg. No. 17,528
WOLF, GREENFIELD & SACKS, P.C.
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(617) 646-8000



DOCKET NO.: L0644.70000US00

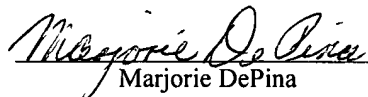
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 21st day of September, 2006.


Marjorie DePina

MS Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicants would like to bring to the Examiner's attention the enclosed International Search Report and Written Opinion from corresponding PCT Application No. US2004/41830.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The Applicants are not in possession of any English language translations of the following references.

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The relevance of EA 0001010 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

The relevance of JP 6217931 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

The relevance of JP 7031583 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

The relevance of JP 11178786 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

The relevance of JP 11244375 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

The relevance of JP 2000093391 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

The relevance of JP 2003102669 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

The relevance of JP 2003180611 is indicated in its figures, and in its English abstract obtained online from the European Patent Office.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

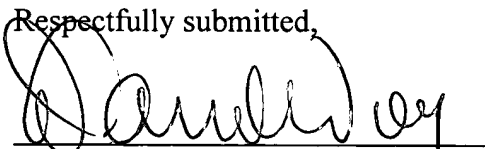
By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

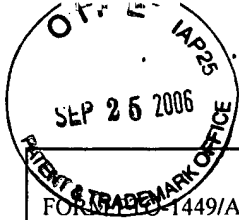
Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:


David Wolf, Reg. No. 17,528
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000



INFORMATION DISCLOSURE STATEMENT BY APPLICANT FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 10/583,292		ATTY. DOCKET NO.: L0644.70000US00	
				FILING DATE: June 16, 2006		CONFIRMATION NO.: 2500	
				APPLICANT: John M. Levey			
				GROUP ART UNIT: 3739		EXAMINER: Not Yet Assigned	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		3,805,770		Okada	04-23-1974
		3,871,358		Fukada et al.	03-18-1975
		4,332,242		Chikama	06-01-1982
		4,577,621		Patel	03-25-1986
		4,784,117		Miyazaki	11-15-1988
		4,784,647	A	Gross	11-15-1988
		4,834,711	A	Greenfield et al.	05-30-1989
		5,334,166	A	Palestrant	08-02-1994
		5,591,202	A	Slater et al.	01-07-1997
		5,716,322	A	Hui et al.	02-10-1998
		5,779,624	A	Chang	07-14-1998
		5,941,815	A	Chang	08-24-1999
		6,257,238	B1	Meah	07-10-2001
		6,293,907	B1	Axon et al.	09-25-2001
		6,610,007	B2	Belson et al.	08-26-2003
		2003/0220544	A1	Chang	11-27-2003
		2003/0229269	A1	Humphrey	12-11-2003

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		JP	6217931	A2	OLYMPUS OPTICAL CO LTD	08-09-1994	Y/Abstract
		JP	7031583	A	OLYMPUS OPTICAL CO LTD	02-03-1995	Y/Abstract
		JP	11178786	A2	KOSHINSHA: KK	07-06-1999	Y/Abstract
		JP	11244375	A2	OLYMPUS OPTICAL CO LTD	09-14-1999	Y/Abstract
		JP	2000093391	A2	OGINO TAKAYUKI	04-04-2000	Y/Abstract
		JP	2003102669	A2	FUJI PHOTO OPTICAL CO LTD	04-08-2003	Y/Abstract
		JP	20033180611	A2	OLYMPUS OPTICAL CO LTD	07-02-2003	Y/Abstract
		EA	0001010	B1	AXON	08-28-2000	Y/Abstract

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
		GROSSMAN, Martin B., MD, FACS, (1980), Gastrointestinal Endoscopy, Clinical Symposia, 32: 1-36.		
		MODLIN, Irvin M., (2000), pp. 102-107, Chapter 4: Colonoscopy, from "A Brief History of Endoscopy," MultiMed, Milano, Italy.		
		PCT/US2004/41830 International Search Report and Written Opinion. June 27, 2005.		

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/583,292	ATTY. DOCKET NO.: L0644.70000US00
				FILING DATE: June 16, 2006	CONFIRMATION NO.: 2500
				APPLICANT: John M. Levey	
				GROUP ART UNIT: 3739	EXAMINER: Not Yet Assigned
Sheet	2	of	2		

EXAMINER:	DATE CONSIDERED:
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - No copies of U.S. patents or published U.S. patent applications, or pending, unpublished applications stored in the USPTO IFW system, are included. See 37 CFR 1.98 and 1287OG163. Copies of all other patent(s), publication(s), pending US applications or other information listed are provided as required by 37 CFR 1.98, unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR 1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]